

Now, listen, all Americans respect individual rights, but the only way to end the pandemic is for everyone to accept the personal responsibility for our shared well-being. That is why I support President Biden's recent action to strengthen America's defense against COVID and bring this pandemic finally to an end.

Many responsible employers, large and small, have already decided on their own to require that their workers get vaccinated. I encourage more to do it. A strong majority of Americans support this policy. President Biden's decision to extend that policy to much of the Federal workforce and to private employers with 100 or more workers means that two out of three American workers will be required to get vaccinated.

We even have a situation in the Federal Bureau of Prisons where the infection rate of Federal prisoners is six times the national average. Yet fewer than half of Federal prison guards have been vaccinated—fewer than half. That is inexcusable.

Other nations have already instituted policies which encourage vaccinations. It is time for us to do the same. If we are ever going to see this pandemic come to an end, kids get back in school, and life return to normal, more Americans have to roll up their sleeves and face the reality that vaccination is the pathway to that result.

Now, sadly, while this debate is going on nationally, politicians in two dozen States, with vaccination rates below the national average, are threatening to sue the Biden administration over its new COVID policy. In other words, these Governors are saying to the President: Stop any requirement for masks; stop any requirement for vaccinations. In the war against COVID, these lawmakers in these two dozen States are siding with the virus. Their actions, if they follow through on these threats, will result in more illness, more death, and more harm to the economy.

Now, how can I say that? Well, I will tell you how—by taking a look at the numbers. Take a look at the numbers from the 24 States threatening lawsuits. The infection rate is 3,471 for every 100,000 people. How about the other States that are not filing a lawsuit against President Biden? Coincidentally, COVID death rates in those 24 States where these attorneys general are threatening lawsuits against President Biden is 31 per 100,000. The COVID death rates in the rest of the country: 11 per 100,000.

Vaccination rate: 49 percent in those States, 57 percent in the States that are not suing the President. That tells a story.

They are exalting liberty over life. This notion that we don't have a responsibility to ourselves and our family and innocent people to step forward is exactly the point that was being made by Candace Ayers' family. We do.

We bear that responsibility, and we should accept it.

Since June, the average rates of COVID infections in the 24 States threatening to sue President Biden have been double the rates of COVID infection in the other 26 States. COVID death rates in those States have been nearly three times worse than the rest of the country. These reckless political actions have deadly, real-world consequences.

President Biden's actions are reasonable; they are necessary; and a majority of the American people believe it. Politicians hoping to gin up their base by suing the President should stop and start fighting the virus instead of the President's ambitions to bring this pandemic to an end. The sooner we do that, the sooner we can end this pandemic once and for all.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ELECTIONS

Mr. THUNE. Mr. President, Federal takeovers are being discussed in both the House and the Senate this week. The Democrat leaders announced that the Senate will once again be taking up legislation to put the Federal Government, instead of the States, in charge of elections in this country. Meanwhile, over in the House of Representatives, they are expected to vote on legislation to eliminate essentially all State restrictions on abortion, no matter how modest or how widely supported.

So what is up with all of these Federal takeovers? Well, Democrats have been pushing election legislation—what they call H.R. 1, or the For the People Act—for multiple years now. This radical legislation would provide for a massive Federal takeover of our electoral system, chill free speech, and turn the Federal Election Commission, which is the primary enforcer of election law in this country, into a partisan body, among other dangerous measures.

And the reason—the reason for this radical legislation? Well, as even some Democrats have implicitly admitted, this legislation is designed to make it easier for Democrats to win elections.

Fast forward to last week. With H.R. 1 unable to pass the Senate, some Democrats produced a modified version of this legislation. It is called For the People Act “lite.”

And while I appreciate their efforts, unfortunately, as the Republican leader said yesterday morning, “This latest version is only a compromise in the

sense that the center left compromised with the far left,” or, as the Wall Street Journal editorial board put it this morning, “Calling this bill slimmed down . . . is like touting your healthy choices after you order a Diet Coke with four Big Macs.”

The For the People Act “lite” would still impose troubling new burdens on free speech; it would still undermine State voter ID laws; it would still spend taxpayer dollars on political campaigns; it would still make it easier for those here illegally to vote; and, most of all, it would still put Washington, not State governments, in charge of elections for no reason at all.

Let's be clear. There is absolutely zero reason to have the Federal Government start dictating States' election policies—zero reason. There is no systemic problem with State election laws, and State election officials do not need Washington bureaucrats dictating how many days of early voting they should offer or how they should manage mail-in ballots.

This bill, like its parent H.R. 1, is a solution in search of a crisis. States have been doing a fine job running elections. Even Democrats have sort of had to admit that given the huge voter turnout in the last election and the fact that Democrats won, albeit by the slimmest of margins—even Democrats have had to admit that States are doing a pretty good job running elections.

So now that they can no longer tell us that our electoral system is broken, Democrats are telling us that we need election legislation like this because States are passing legislation that will, Democrats claim, threaten election access—baloney. It is just another attempt to manufacture a crisis that will justify passing H.R. 1 or some variant.

Democrats are pushing election legislation for one simple reason: because they think it will improve their chances in future elections. That is not a good reason to bring up election legislation, and I will continue to oppose any Federal takeover of elections.

South Dakota election officials are doing just fine without having their every move dictated by Washington bureaucrats.

ABORTION

Mr. THUNE. Meanwhile, Mr. President, over in the House, Members are expected to consider legislation that would, as I said, preempt virtually all State restrictions on abortion. Democrats are calling the bill the Women's Health Protection Act. A more accurate name might be the “abortion on demand act” or we could simply refer to it as what it is—probably the most anti-life legislation ever to be considered in the U.S. Congress.

This bill would eliminate pretty much any and every abortion restriction in every State across the country: parental notification laws, informed consent laws. Measures adopted by

States and upheld by the Supreme Court would disappear under Democrats' legislation. The bill would also prevent States from restricting any particular method of abortion, no matter how barbaric the method, and the bill would make it essentially impossible to impose any meaningful restrictions at all on abortion in any stage of pregnancy, including after the point of fetal viability, when the baby can survive outside its mother.

The bill would also jeopardize doctors' and nurses' right to refuse to participate in abortions and specifically prevent them from having recourse under the Religious Freedom Restoration Act to protect their conscience rights. It would put measures in place to ensure that any State pro-life law would face an uphill climb in the courtroom. In short, this legislation would make abortion on demand at any time, for essentially any reason, the law of the land in the United States.

I hope—I really do hope—that during debate on this measure the Democrats are not going to pretend that their proposed abortion law somehow represents the prevailing sentiment of the country—because it doesn't. The vast majority of Americans believe that there should be at least some restrictions on abortion.

Gallup has been polling on abortion for decades, and in all that time, the percentage of Americans who believe abortion should be legal under any circumstances has always remained under 35 percent. In fact, for most of the past several decades that number has remained squarely under 30 percent.

A strong majority of Americans support at least some restrictions on abortion. Furthermore, the Associated Press poll from this June found that 65 percent of Americans believe that abortion should generally be illegal in the second trimester, or from about 13 weeks of pregnancy, while a whopping 80 percent—80 percent—of Americans believe that abortion should generally be illegal in the third trimester.

And it is not surprising. Americans aren't dumb. And thanks to ultrasounds and scientific advances and plain old common sense, they know just how ridiculous it is to claim that unborn children are just blobs of tissue. Most people are well aware that an unborn baby with its own heartbeat and fingers and toes and DNA is, in fact, not a blob of tissue but a human being.

And most people believe that human beings deserve to be protected, even when they are small and weak and vulnerable—especially when they are small and weak and vulnerable. And so it doesn't surprise me in the least that 80 percent of the American people think abortion should generally be illegal in the third trimester, because I can't imagine anyone being comfortable with the idea of killing a baby who is not only, like any unborn baby, a human being worthy of protection, but who is actually old enough to survive outside of his or her mother.

And so, as I said, I really, really hope the Democrats are not going to pretend that they are representing the American people with this appalling legislation. They are not representing the American people. They are representing the radical abortion lobby, and the radical abortion lobby is terrified that, as it well knows, it does not have the majority of the American people on its side. And so it is relying on its Democrat allies to push for perhaps the most radical pro-abortion legislation ever considered.

The American people are better than this, and I would hope that the Democratic Party would be better than this. The Democratic Party has historically portrayed itself as the defender of the little guy. It is unfortunate that that doesn't extend to the littlest guys and girls among us: the unborn babies in danger of dying from abortion.

There are hundreds of thousands of abortions in the United States every year. That is hundreds of thousands of innocent human lives lost. Do we really need to remove even the most modest restrictions on abortion?

While, unfortunately, the vast majority of the Democratic Party is in the pocket of the radical abortion lobby, I hope that there are at least some—some House Democrats—out there who aren't comfortable with this bill in the Democratic Party's extreme abortion politics.

And I hope that these Democrats will stand up and oppose their party's abortion-on-demand legislation. This anti-life legislation is an abomination, and it should never, never make it out of the House of Representatives.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. REED). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 169, Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury.

Charles E. Schumer, Ron Wyden, Martin Heinrich, Alex Padilla, Margaret Wood Hassan, Raphael Warnock, Ben Ray Lujan, Gary C. Peters, Elizabeth Warren, Christopher Murphy, Patrick J. Leahy, Tammy Duckworth, Sheldon Whitehouse, Michael F. Bennet, Tim Kaine, Tammy Baldwin, Cory A. Booker.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 63, nays 35, as follows:

[Rollcall Vote No. 370 Leg.]

YEAS—63

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Romney
Blunt	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Cassidy	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Tillis
Cornyn	Menendez	Toomey
Cortez Masto	Merkley	Van Hollen
Crapo	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Grassley	Peters	Young

NAYS—35

Barrasso	Hagerty	Paul
Blackburn	Hawley	Risch
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cotton	Kennedy	Shelby
Cramer	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Lummis	Tuberville
Ernst	Marshall	Wicker
Fischer	Moran	

NOT VOTING—2

Feinstein Rounds

The PRESIDING OFFICER (Ms. SMITH). On this vote, the yeas are 63, the nays are 35.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 245, Jayme Ray White, of Washington, to be a Deputy United States Trade Representative (Western Hemisphere, Europe, the Middle East, Labor, and Environment), with the rank of Ambassador.